



U.S. Department of Justice

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September 20, 2016

Honorable Marvin J. Garbis
United States District Judge
U.S. Courthouse
101 West Lombard Street
Baltimore, Maryland 21201

Re: United States v. Republic National Distributing Company, et al.
Criminal No. MJG-16-0258

Dear Judge Garbis:

The purpose of this letter is to clarify two related points that were raised during the hearing in the above-referenced case on Friday, September 9, 2016.

During argument on the question about an alleged retaliatory indictment, counsel for Republic National Distributing Company (RNDC) stated that he was authorized by the Second Wholesaler to advise the Court (1) that the funds held in escrow had not been released, and (2) that there was no tolling agreement in place. Counsel for the Second Wholesaler has provided the government with a letter, dated September 13, 2016, confirming both (1) that he has a copy of the August 26, 2016, order releasing the remaining funds from the escrow account, and (2) that he has a tolling agreement with the government dated August 17, 2016. A copy of that letter is enclosed. The letter indicates that a copy was provided to Mr. MacDougall.

Very truly yours,

Rod J. Rosenstein
United States Attorney

_____/s/_____
Richard C. Kay
Assistant United States Attorney

Enc.

cc: Counsel of record by efileing